IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 18935 of 2004

Between:

L.Md.Zikriya,

S/o L.A.Azeez Saheb,
B.Kothakota,

Chittoor District.

..... PETITIONER

AND

The Regional Manager,

A.P.S.R.T.C.,

Chittoor Region, Tirupathi
Chittoor District .

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or directions, more in the nature of Writ of Mandamus, directing the respondent to consider and pass appropriate orders on the petitioners' representation dated 20-11-2003 as per law and following the Circular No.PD-43/2000 dated 11-08-2000 and appoint as Driver forthwith.

Counsel for the Petitioner: Mr. P.GOVINDA RAJULU

Counsel for the Respondent: Mr. P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the stage of admission made the following :

The petitioner was selected as a driver in the respondent-corporation in the year 1996-97 and was appointed in the B.Kothakota Depot. He was issued a charge sheet and a show cause notice on 8-12-1997 and 4-2-1998 respectively by the respondent. While working in the capacity of driver, the petitioner was removed from service through the proceedings dated 17-2-1998 on the allegation that the driving licence of the petitioner is not a genuine one. Subsequently, on 11-8-2000 the respondent-Corporation issued a circular to all the concerned authorities to reconsider the cases of the drivers who were removed from service due to non possession of genuine licences and in pursuance of that the respondent issued a letter dated 19-3-2003 to the petitioner directing to obtain fresh driving licence and to produce the same before the concerned authorities on or before 31-3-2003. In pursuance of the said letter, the petitioner contends that he produced a Xerox copy of his new driving licence on 28-3-2003 before the respondent, but, the respondent found the driving licence as a genuine one, did not consider his case for appointment as a driver, despite the respondent considering the cases of the candidates juniors to him. The petitioner, therefore, approached this Court seeking a direction to the respondent to consider his case by way of implementing the circular dated
11-8-2000 and appoint him as a driver.

In the light of the circumstances explained by the petitioner and in view of the circular of the Corporation dated 11-8-2000, the respondent is directed to consider the case of the petitioner if the genuineness of the driving licence produced by the petitioner is already verified and pass appropriate orders regarding the appointment of the petitioner as a driver in the Corporation.

Accordingly, the writ petition is disposed of.

(Dr. G.YETHIRAJULU,J)

13th October, 2004.

Tsy/cs

To

1. The Regional Manager,

A.P.S.R.T.C.,

Chittoor Region, Tirupathi
Chittoor District .

2. Two CD Copies.